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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,028	11/08/2005	Nobuyuki Takakuwa	8048-1102	5407
466 7590 07/23/2010 YOUNG & THOMPSON 209 Madison Street Suite 500 Alexandria, VA 22314				
EXAMINER TEKLE, DANIEL T				
ART UNIT 2621		PAPER NUMBER		
NOTIFICATION DATE 07/23/2010		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

# Office Action Summary

**Application No.**

10/530,028

**Applicant(s)**

TAKAKUWA ET AL.

**Examiner**

DANIEL TEKLE

**Art Unit**

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 May 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 22-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 22-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-21 rejected under 35 U.S.C. 102(e) as being anticipated by Kashiwagi et al. (US 2002/0003945).

**Regarding Claim 22:** Kashiwagi et al. discloses a computer readable information record medium with information recorded in a non-transitory state thereon, comprising: an object data file for storing object data comprising a first video stream, a second video stream which corresponds to a different view point from a view point of the first video stream, and a first audio stream (**paragraph 0190-0191**); a play list information comprising a plurality of item information each of which indicates information related to a reproduction range of the object data (**paragraph 0216-0217**); and an object information file for storing object information which indicates a storing position of the object data which corresponds to each of the plurality item information (**fig. 16**), each of the object data file, the play list information and the object information file is recorded into a different area, respectively, the object information comprising association

definition information which defines, for each stream, a relationship between each stream and each packet which constructs each stream (**fig. 16**).

**Regarding Claim 23:** Kashiwagi et al. discloses a computer readable information record medium according to claim 22, wherein the object data defines first information unit which includes the first video stream, the second video stream and the first audio stream (**paragraph 0210**), the first audio stream which constructs the first information unit is commonly used to both of the first and second video stream which construct the first information unit (**paragraph 028**), each of the first video stream, the second video stream and the first audio stream, which constructs the first information unit, is recorded with being divided into a plurality of packets (**paragraph 0234**), the plurality of packets which correspond to the first video stream, the second video stream and the first audio stream, which constructs the first information unit, are collectively multiplexed (**paragraph 0234**).

**Regarding Claim 24:** Kashiwagi et al. discloses a computer readable information record medium according to claim 22, wherein the object information comprises information for indicating packet identification number for identifying packet which corresponds to each stream (**paragraph 0255**).

**Regarding Claim 25:** Kashiwagi et al. discloses a computer readable information record medium according to claim 23, wherein the object data comprises sub-picture stream for displaying a menu (**paragraph 0213 and 0605**), the sub-picture stream is recorded with being divided into a plurality of packets, and is collectively multiplexed

with the first video stream (**paragraph 0240**), the second video stream and the first audio stream, the play list information comprising sub-path information which indicates information related to a reproduction range of the sub-picture stream (**fig. 16**); and the sub-picture stream is superimposed on the first or second video stream, the sub-picture stream is commonly used to both of the first and second video stream which construct the first information unit (**fig. 15**).

**Regarding Claim 26:** Claim 26 reject for the same reason to claim 22 as discussed above.

**Regarding Claim 27:** Claim 27 reject for the same reason to claim 22 as discussed above.

**Regarding Claim 25:** Kashiwagi et al. discloses an information reproduction apparatus for reproducing the non-transitory computer readable information record medium according to claim 22, said apparatus comprising: a reading device for reproducing the object data file, the object information file and the playlist information; and a reproduction device for reproducing the object data based on the object information file and the playlist information read by the reading device (**paragraph 0612**).

**Regarding Claim 29:** Claim 29 reject for the same reason to claim 28 as discussed above.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL TEKLE whose telephone number is (571)270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other Friday..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/  
Supervisory Patent Examiner, Art Unit 2621

/Daniel Tekle/  
Examiner, Art Unit 2621